

REMARKS

This Amendment responds to the Office Action dated January 24, 2005 in which the Examiner required a new title, rejected claims 3 and 5 under 35 U.S.C. §112, second paragraph and rejected claims 3, 5, 7, 8, and 11 under 35 U.S.C. §102(e).

As indicated above, a new title has been provided which clearly indicates the invention to which the claims are directed. Therefore, applicant therefore respectfully requests the Examiner approves the new title.

As indicated above, minor informalities in the specification have been corrected. Applicants respectfully request the Examiner approves the corrections.

As indicated above, claims 3 and 5 have been amended in order to more particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Therefore, applicants respectfully request the Examiner withdraws the rejection to the claims under 35 U.S.C. §112, second paragraph.

As indicated above, claims 3, 5, 7 and 11 have been amended to make explicit what is implicit in the claims. The amendments are unrelated to a statutory requirement for patentability.

Claims 1-11 were rejected under 35 U.S.C. §102(e) as being anticipated by *Sato* (U.S. Patent No. 6,345,357).

Sato appears to disclose at column 13 lines 65 through column 14 line 18 that instructions N+8 through N+12 are fetched but are made NOP. Thus nothing in *Sato* shows, teaches or suggests first and second instruction processing sequence switching units which switches to a first instruction in a repeat block when repeat processing continues and inhibits fetching of remaining instructions in a repeat block

and fetches a next instruction outside the repeat block when repeat processing is made to break as claimed in claim 3. However, *Sato* clearly discloses that instructions N+8 through N+12 are all fetched but are not performed by NOP.

Additionally, *Sato* merely discloses at column 14 line 35 through column 15 line 61 performing jump processing after the last instruction in the repeat block has been completed. Thus nothing in *Sato* shows, teaches or suggests performing jump processing in parallel to the processing of a last instruction in a repeat block as claimed in claim 5. Applicant respectfully points out that the difference between *Sato* and claim 5 is the destination of the jump.

Furthermore, *Sato* merely discloses at column 10 lines 50-61 returning to a first instruction in a repeat block by comparing an instruction address and a last instruction address in a repeat block. However, as claimed in claim 7, the detecting unit detects that the repeat processing breaks after a designated instruction is completed. In *Sato*, there is no disclosure about detecting a break in repetition, but there is only disclosure of returning to a first instruction in the repeat block.

Finally, *Sato* merely discloses at column 15 line 62 through column 16 line 47 and in particular column 16 lines 41-47 that either a step repeat or a block repeat is performed. Nothing in *Sato* shows, teaches or suggests using a plurality of counters to determine a break based upon a first counter reaching a first predetermined value and a second counter reaching a second predetermined value at the N+1 th repeat processing of the repeat block as claimed in claim 11. Rather, *Sato* teaches away from the claimed invention and merely discloses determining whether the step repeat or block repeat is to be performed.

Since nothing in *Sato* shows, teaches or suggests the features as claimed in claims 3, 5, 7 and 11 as discussed above, Applicant respectfully requests the Examiner withdraws the rejection to claims 3, 5, 7 and 11 under 35 U.S.C. §102(e).

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicant respectfully requests the Examiner enters this Amendment for purposes of appeal.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:


Ellen Marcie Emas

Registration No. 32,131

Date: April 25, 2005

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620